KEN PAXTON
ATTORNEY GENERAL OF TEXAS

(TX) ORANGE CO. SHERIFF - AG ID# 561390 FOIA RESPONSE (MAIL) ON 04.09.15; $1.70 TOTAL ALLOWABLE DUE

April 9, 2015

Captain Dennis Marlow
Custodian of Records
Orange County Sheriff's Office
P.O. Box 1468
Orange, Texas 77631-1468

Dear Captain Marlow:

The Office of the Attorney General received the enclosed complaint alleging the Orange County Sheriff's Office (the "sheriff's office") is overcharging for copies of public information under the Public Information Act (the "Act"), chapter 552 of the Government Code. The complaint was assigned ID# 561390.

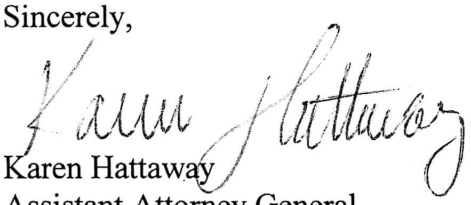
The sheriff's office received a request for nineteen categories of information related to specified officer involved shootings during a specified time period. Due to limitations of the RMS software the sheriff's office uses, the requestor amended her request. The sheriff's office quoted the requestor a charge of $63.00 for seventeen paper copies responsive to her amended request. The requestor believes the charges are excessive.

The sheriff's office has itemized the charge for copies as $1.00 per page. This office notes a governmental body may charge $0.10 per page for paper copies. *See* 1 T.A.C. § 70.3(b)(1). Further, because the responsive information provided is less than fifty pages, the sheriff's office may not include costs of materials, labor, or overhead. *See* Gov't Code § 552.261(a). Accordingly, the total amount the sheriff's office is allowed to charge for seventeen paper copies is $1.70. Therefore, the sheriff's office is required to notify the requestor of the

amended charges to receive copies of the requested information. On receipt of a copy of the notice to the requestor, we will close our file on this matter.

If you have any questions or need further assistance, please contact us at (888) 672-6787.

Sincerely,



Karen Hattaway
Assistant Attorney General
Education and Enforcement Section
Open Records Division

KEH/sh

Ref: ID# 561390

Enclosure

c: Ms. Kristin Hoffman
3945 Winnebago Street
St. Louis, Missouri 63116
(w/o enclosures)

Orange County
Sheriff's Office

P. O. Box 1468
Orange, Texas 77630-1468
Orange (409) 883-2612
Mauriceville (409) 745-5876
Vidor (409) 769-6391
FAX (409) 883-7545

Ms. Kristin Hoffman
3945 Winnebago St.
St. Louis, Mo 63116

Dear Kristin Hoffman,

The Sheriff's Office received enclosed documents on April 14, 2015 regarding a complaint alleging that Orange County Sheriff's Office is overcharging for copies of public information under the Public Information Act, chapter 552 of the government Code.

We have reviewed your complaint request through the Attorney General's Office and amending that your total amount due is $1.70. To receive requested documents the money needs to be in our office before the report will be mailed out.

Please send in a money order made out to :
Orange County Sheriff's Office

In memo section ATTENTION RECORDS

Any more questions feel free to contact
Orange County Sheriff's Office
Support Division
Kaleigh Zelgowski or Dennis Marlow
409-883-2612

Bond/Records DIVISION
Kaleigh Zelgowski
(409) 882-7959

ORANGE COUNTY
SHERIFF'S OFFICE
P.O. BOX 1468 ★ ORANGE, TX 77631-1468

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Kristin Hoffman
3945 Winnebago St
St. Louis, MO 63116

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